

Quick Look:

This document includes:

Background Information, FAQs, Resources, and Quick Facts.

Terms to Understand:

Instructional personnel:

- Classroom teachers, excluding substitutes
- Student services personnel
- Librarians and media specialists
- Other instructional personnel, such as learning resource specialists

School administrators:

- School principals
- School directors
- Career center directors
- Assistant principals

Current teacher evaluation ratings:

- Not standardized in law.
- Districts determine how many levels are used and terminology used to describe them.

*Facts and information generated by the House Education Committee

Student Success and Teacher Quality House Bill 7019

Background:

Florida law currently outlines the general requirements for teacher and school administrator contracts, compensation, and performance evaluation. Each of Florida's 67 school districts and numerous charter schools presently evaluate their teachers and administrators using their own criteria. Local compensation decisions also differ from school district to school district depending on locally adopted salary schedules negotiated by district staff and local union representatives.

Issue at a Glance:

Proponents of reforming Florida's current instructional personnel and school administrator evaluation systems reference the issues below as reasons for proposed reforms:

- Since 1999, Florida law has required that instructional personnel and school administrator performance evaluations be based primarily on student achievement; however "primarily" is not defined.
- Current evaluation systems fail to adequately distinguish between effective teachers and leaders and ineffective teachers and leaders.
 According to 2008-09 data collected by the Florida Department of Education, 99.7 percent of Florida's classroom teachers received "satisfactory" performance evaluations.
- Across the state, instructional personnel compensation is based largely upon seniority and educational degree level, rather than performance on annual evaluations.
- Current law does not require that performance be considered in making employee contracting, transfer, and promotion decisions.
- Employee performance is not required to be considered when making workforce reductions. Typically, school districts utilize a system whereby the employee that is last hired, is the employee that is first fired.

What the Bill Does:

Performance Evaluations

The bill aligns existing statute regarding educator performance evaluations with the reforms being implemented through Florida's \$700 million Race to the Top grant. The bill requires that evaluations:

- Be at least 50 percent based upon student learning growth as demonstrated on statewide assessments, or for subjects and grades not tested on statewide assessments, district-selected assessments.
- Differentiate among four performance levels: highly effective; effective; needs improvement, or for certain employees, developing; and unsatisfactory.

PUBLIC INFORMATION

<u>Click here</u> to see additional resources such as the full bill text and analyses available on MyFloridaHouse.gov.

Quick Facts:

2,643,396: # of students in Florida public schools

169,540: # of Florida public school teachers

\$46,708: Average Florida public school teacher salary

\$45,700: Highest paying starting salary for Florida teachers

\$30,000: Lowest paying starting salary for Florida teachers

11,280: # of Florida school administrators

*Source: Florida Department of Education

- Requires each school district to annually report to a parent the fact that
 his or her child has been assigned to a classroom teacher or school
 administrator having two consecutive 'unsatisfactory' performance
 evaluations, two 'unsatisfactory' within a 3-year period, or three 'needs
 improvement' or a combination of 'needs improvement' and
 'unsatisfactory'.
- Use formulas adopted by the Commissioner of Education to measure student learning growth. These formulas will compare the student's prior academic performance with learning achieved in the year assigned to the teacher.
- Consider other factors that may influence learning such as disability, attendance, and English proficiency, in addition to considering three years of students assigned to the teacher.
- Be considered in decisions regarding the retention, transfer, and promotion of teachers. Workforce reductions must prioritize the retention of highest performing employees over lower performing employees.

The bill requires the Commissioner of Education to approve a formula by June 1, 2011, for subjects tested on the FCAT. Formulas for statewide standardized end-of-course assessments must be adopted as the assessments are implemented. By the beginning of the 2014-15 school year, each school district must have equally appropriate assessments and growth formulas for subjects and grades not tested on statewide assessments.

Educator Compensation

The bill establishes requirements for the implementation of performance-based compensation systems in accordance with the state's Race to the Top grant, as follows:

- By July 1, 2014, school districts must adopt a 'performance' salary schedule for instructional personnel and school administrators.
- Increases to base salary must be based upon "effective" or "highly effective" performance, rather than seniority or advanced degrees.
- Salary supplements, if provided, may be awarded to employees assigned to Title I or chronically low-performing schools, certified and teaching in a critical shortage area, or assigned additional academic responsibilities.
- Employees on annual contract as of July 1, 2014, and those hired thereafter will be placed on the performance salary schedule.
- Professional service contract employees may remain on their current salary schedule or may opt into the performance salary schedule; however, employees who opt in must relinquish their professional service contracts for an annual contract.

Contracts

The bill discontinues the award of new professional service contracts for instructional personnel hired on or after July 1, 2011, as follows:

 Employees who have professional service contracts may keep them as long as they remain employed in their current school district and continue to be compensated under their current salary schedule. The bill does not force current professional service contract employees to relinquish their contract status.

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The Florida House of Representatives: www.myfloridahouse.gov

Florida Department of Education: www.fldoe.org

Florida House Republican Office:

http://www.myfloridahou se.gov/Sections/Leadershi pOffices/MajorityLeadersh ip/Majorityleader.aspx

United States Department of Education:

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- Newly hired instructional personnel will serve on annual contracts. The
 first annual contract is a probationary contract, during which time the
 employee may be terminated without cause or resign without breach of
 contract.
- Prohibits annual contract awards, provides grounds for just cause dismissal, and removes automatic renewal of professional service contracts for employees that receive three consecutive performance evaluations ratings of 'needs improvement', or a combination of 'needs improvement' or 'unsatisfactory'. This also applies to employees who receive these ratings for two consecutive years, or two out of three years.

Student Success and Teacher Quality: Frequently Asked Questions

Why do Legislators tell local school districts how to evaluate, hire, and compensate their teachers?

Florida Statute requires that the Florida Legislature allocate funding to local school district for operations. Among other things, operations funding is used to pay school teachers and administrators.

How are teachers currently evaluated in Florida?

Florida law requires that each Florida teacher and principal be evaluated once annually. Each school district determines its own performance evaluation system based upon factors required in statute. Many performance evaluation design components are established through local collective bargaining. Presently, there is significant variation among Florida's school districts as to the structure of their evaluation systems.

If this bill passes, what will be the new performance levels on teacher evaluations?

This bill requires performance evaluation systems to differentiate among four levels of performance: "Unsatisfactory," "Needs Improvement" (or for instructional personnel in their first three years of employment who need improvement, "Developing"), "Effective," and "Highly Effective."

Why does the bill require that newly hired teachers be evaluated at least twice in their first year?

Proponents of the bill specify they do not want to punish teachers new to the profession who may struggle to "hit their stride" in the first year of teaching. Proponents state this requirement is designed to enable school districts to identify and provide additional support to first year teachers who may need it. This also applies to veteran teachers who are newly employed by a Florida school district.

Why do school districts have to report performance evaluation ratings to the Florida Department of Education?

Florida law requires the Department of Education annually report evaluation ratings to the Governor and Legislature. These reports address district implementation of evaluation systems and any changes made to them. The



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How does the salary adjustment work for teachers who earn a rating of "effective" or "highly effective?"

As specified in the bill, the adjustments become part of the employee's permanent base salary and are also considered compensation under the Florida Retirement System. The salary adjustment for "highly effective" performance must be greater than the highest annual salary adjustment available to the employee through any other salary schedule adopted by the school district. The salary adjustment for "effective" performance must be between 50 and 75 percent of the adjustment provided to a highly effective employee.

For the purpose of salary supplements, which schools are considered Title I schools or low-performing schools?

For more than 40 years, through Title I of the federal Elementary and Secondary Education Act of 1965, the U.S. Congress has authorized federal grants to states and school districts to improve educational opportunities for economically disadvantaged students. Typically, a Title I school is an urban or rural school serving a high proportion of economically disadvantaged students.

In Florida, low-performing schools are schools which have received a school grade of "F" in the most recent school year and in 4 of the last 6 years, or a grade of "D" or "F" in the most recent school year, and meet at least three of the following criteria:

- The percentage of students who are not proficient in reading has increased when compared to measurements taken 5 years previously;
- The percentage of students who are not proficient in mathematics has increased when compared to measurements taken 5 years previously;
- At least 65 percent of the school's students are not proficient in reading;
 or
- At least 65 percent of the school's students are not proficient in mathematics.

For the purpose of salary supplements, what is a critical teacher shortage area?

The bill redefines critical teacher shortage areas as high need content areas or high-priority location areas. High need content areas include subject areas in which teachers are in short supply, such as math, science, reading, and exceptional student education. High-priority location areas are geographic areas with low socio-economic status and/or historically low performing schools. This allows the State Board of Education to adopt critical teacher shortage areas that are targeted to schools and subject areas which qualify for salary supplements.

What is the thinking behind limiting the use of advanced degrees to set a teacher's base salary?

For instructional personnel hired on or after July 1, 2011, the bill prohibits the use of advanced degrees to set teacher base salary; however salary supplements may be awarded for advanced degrees in the subject area of teaching and certification. Proponents of the bill state this change is based upon research showing that an advanced degree alone has little bearing on student achievement.

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According to current law, do Florida teachers on professional service contracts have "tenure" or not?

Currently, a professional service contract is granted to instructional personnel who complete a period of probationary employment on annual contracts. Upon completion of this period and the awarding of a professional service contract, state law entitles these employees to automatic annual contract renewal and they may only be dismissed for specific reasons after statutorily required due process. Because of this automatic contract renewal, a professional service contract is often referred to as "tenure."

Does the bill take "tenure" away from teachers who already have it?

No. Employees who have professional service contracts may keep them as long as they remain employed in their current school district and continue to be compensated under their current salary schedule. The bill discontinues the award of new professional service contracts for instructional personnel hired on or after July 1, 2011.

If a professional service contract teacher opts to move to the performance salary schedule, why do they have to relinquish their current contract for an annual contract?

Proponents of the bill suggest that eligibility for performance-based pay should require the employee be held accountable by performance-based contracting.

If this bill passes, will teacher certifications and re-certifications be impacted by a teacher's evaluations?

No. The bill does not link certification or re-certification to performance evaluations.

Why does the bill abolish "last hired, first fired?" Shouldn't teachers with seniority keep their jobs?

Proponents of the bill believe abolishing "last hired, first fired," will increase the likelihood that the highest performing teachers will be retained. The bill requires districts to release employees with the lowest performance evaluation ratings before releasing higher-rated employees. Districts are explicitly restricted from prioritizing seniority over performance when making retention and reduction in force decisions.

What is the Race to the Top grant?

The Race to the Top grant is a \$700 million federal grant that was awarded to Florida in August 2010. Grant funds will be used to implement reforms related to teacher effectiveness, struggling schools, academic standards and assessments, and education data systems. Half of the grant money will fund the Department of Education's activities under the grant. The other half is provided to participating school districts and schools to fund their activities under the grant. Sixty-two of 67 school districts, 224 charter schools in 29 districts, and 3 university lab schools are participating in the grant.



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How is this bill different than a similar bill being proposed in the Senate?

The Senate's bill requires the Commissioner of Education to "consult with experts, instructional personnel, school administrators, and education stakeholders in developing the criteria for performance levels". This provision not included in House bill. Also, the Senate Bill requires the State Board of Education to adopt rules regarding "a process to permit instructional personnel to review the class roster for accuracy and to correct any mistakes relating to the identity of student for whom the individual is responsible," while the House bill does not. Finally, both bills restrict district school boards from using advanced degrees in setting salary schedules for educators hired on or after July 1, 2011, unless the advanced degree is held in the individual's area of certification and is only a salary supplement. However, the House bill further requires the advanced degree to be in the specific subject area in which the teacher is certified and teaching.